

Att. Docket No. YOR9-2000-0168US1  
(590.014)

**REMARKS**

It should be noted that this paper is timely filed as August 3, 2003, fell on a Sunday and this paper is being filed on Monday, August 4, 2003.

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

Claims 1-27 were pending in the instant application at the time of the outstanding Office Action. Dependent Claims 13 and 26 have been rewritten. It should be noted amendments to these claims are not in acquiescence of the Office's position on the allowability of the claims, but are merely to expedite prosecution, and Applicants intend no change in scope of the claims by the changes made by this amendment.

The objection to the drawings has been noted. The basis of the objection is that there is no "text label for each associated reference number in Fig. 1". (*Office Action* at 3) This objection is not understood as text labels are not required. 37 CFR 1.84(o) permits such legends, but does not require them. ("Suitable descriptive legends may be used subject to approval by the Office, or may be required by the examiner where necessary for understanding of the drawing.") It is respectfully submitted that descriptive legends are not necessary for an understanding of the drawing as each reference numeral is described in the specification.

Atty. Docket No. YOR9-2000-0168US1  
(590.014)

The disclosure has been objected to because of a number of asserted informalities. Equation 1 on Page 8 has been amended to correct a minor typographical error. In accordance with the request of the Office, the Title has been revised. Claims 13 and 26 have been amended to obviate the objection regarding "S(UIM)".

The objection regarding lack of antecedent basis for the term "non-interpolated likelihood value" in Claims 1, 14 and 27 is respectfully traversed. 35 USC § 112, ¶ 2 provides that the claims as originally filed are part of the specification. Moreover, this term appears several places within the specification, in addition to appearing in the claims, to wit, Page 4, line 14, Page 5, lines 4 and 13. The Office's attention is also directed to Page 3, lines 4-5, which discusses taking "the actual likelihoods ... into account" and Page 10, lines 11-12, which discusses the is "no need for interpolation constants. Thus, it is respectfully submitted this objection should be withdrawn.

Claims 1-3, 6-12, 14-16, 19-25 and 27 stand rejected under 35 USC 103(a) over Goldenthal et al. in view of Newman et al. Reconsideration and withdrawal of the present rejection is hereby respectfully requested.

The Office states that the discussion in Goldenthal et al. at Col. 1, lines 50-57 corresponds to the claimed language of "ascertaining whether the identity claim corresponds to the target speaker model; said ascertaining step comprising the steps of: determining, for each frame and each level of phonetic detail of the target speaker model, a non-interpolated likelihood value; and resolving the at least one likelihood value to obtain a likelihood score." (*Office Action* at 4-5) Applicants respectfully submit this is

Atty. Docket No. YOR9-2000-0168US1  
(590.014)

an incorrect understanding of Goldenthal et al. At presently best understood, the log likelihood scores of Goldenthal et al. do not include "a non-interpolated likelihood value". At a minimum, Goldenthal et al. does not disclose determining a "non-interpolated likelihood value".

A 35 U.S.C. 103(a) rejection requires that the combined cited references provide both the motivation to combine the references and an expectation of success. Not only is there no motivation to combine the references, no expectation of success, but actually combining the references would not produce the claimed invention. Thus, the claimed invention is patentable over the combined references and the state of the art.

Applicants acknowledge that Claims 4-5, 13, 17-18 and 26 were indicated by the Examiner as being allowable if rewritten in independent form. Applicants reserve the right to file new claims of such scope at a later date that would still, at that point, presumably be allowable.

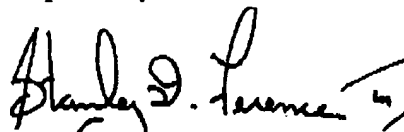
In view of the foregoing, it is respectfully submitted that Claims 1, 14 and 27 fully distinguish over the applied art and is thus are in condition for allowance. By virtue of dependence from what are believed to be allowable independent Claims 1 and 14, it is respectfully submitted that Claims 2-13 and 15-26 are also presently allowable.

In summary, it is respectfully submitted that the instant application, including Claims 1-27, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. In the unlikely event, however, it appears the claims will not be

Atty. Docket No. YOR9-2000-0168US1  
(590.014)

allowed, the Office is invited to call the undersigned to discuss the claims prior to the  
issuance of a second Office Action.

Respectfully submitted,



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